

**REMARKS**

Entry of the foregoing amendments, reconsideration and allowance of the above-identified application are respectfully requested. Upon entry of these amendments, claims 1-18 will be pending. Claims 1, 5, 10, 15, 17, and 18 will have been amended and claims 19-23 will have been cancelled.

Initially, it is respectfully submitted that the foregoing amendments do not raise new issues that would require further consideration and/or a new search. More specifically, these amendments: (1) incorporate the subject matter of dependent claims 19-23 into independent claims 18, 1, 5, 10 and 15, respectively, and (2) amend claim 17 changing "z-index level" to "z-index number". Accordingly, it is respectfully submitted that entry and consideration of these amendments is appropriate.

Claims 20-23 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. More specifically, the Official Action states that a "z-number" is neither disclosed nor described in the specification. This rejection has been rendered moot by the cancellation of claims 20-23. Moreover, Applicant has changed the wording of this subject matter as it has been added to the respective independent claims from "z-number" to "z-index number" to more closely track the language used in Applicant's specification. See, e.g., page 3, paragraph [00014] of the specification for a discussion of this topic.

Claims 20-23 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention. More specifically, the Official Action states that there is insufficient antecedent basis for the limitation "web page" in these claims. This rejection has been rendered moot by the cancellation of these claims. Moreover, in adding this claim language to the respective independent claims, the first recitation of "said web page" has been changed to "a web page".

Claims 1-17 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Brown et al. (U.S. Patent Number 6,278,448) and in further view of Barlow et al. (U.S. Patent Number 6,275,935). By way of the foregoing amendments, each of the independent claims 1, 5, 10 and 15 have been amended to include the subject matter of respective dependent claims 20-23, relating to, for example, "associating said executable script with a predetermined z-index number for a web page; and rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number." This subject matter, in combination with the existing elements of the independent claims, is not taught or suggested by the combination of Brown and Barlow.

Referring to claims 20-23, the Official Action states that: "Brown discloses wherein said source code defines a membrane layer at a higher z-index level than other Web page elements, and said step of executing said executable script further comprises changing a visibility attribute of said membrane layer with a lower z-index level (Brown Col. 11, lines 43-67 and Col 12, lines 49-65 i.e., a z-index that is defined and also has layers)." While Applicant's representative agrees that Brown

employs z-indices and layers *per se*, it is respectfully submitted that the amended claim combinations recite more than simply the use of z-indices and layers *per se*. Instead, the amended claims recite the use of a predetermined z-index number associated with an executable script as a threshold--- those data entry elements associated with the web page having a z-index number lower than the threshold are rendered inaccessible when the script is executed.

Consider the HTML code disclosed in columns 11 and 12 of Brown. Therein, two z-indices are defined. One, at line 9 of the HTML code (Z-INDEX: 1006), is part of the HTML code definition of Brown's static desktop components. See, column 12, lines 44-46 of Brown. The other, at line 17 of the HTML code (Z-INDEX: 1016), is part of the HTML code definition of Brown's active desktop component. See, column 12, lines 61-62 of Brown. By defining the static desktop component to have a lower Z-index number than the active desktop component, Brown creates a web page wherein the static desktop components are positioned "behind" active desktop components on a composite desktop 302. See, column 12, lines 58-60 of Brown.

However, it is respectfully submitted that neither of the two Z-index numbers described by Brown can reasonably be said to correspond to Applicant's claim 1 recitation of a "predetermined z-index number" because neither is used as a threshold for determining whether data entry elements in a web page are to be rendered inaccessible. Instead, Brown merely uses these Z-index numbers to implement underlay/overlay of items on a web page. Additionally, the Z-index numbers of Brown are not "associated with an executable script" which "operates within said client device to render said data input screen inaccessible to prevent

subsequent user input" as set forth in claim 1.

The secondary reference to Barlow does not remedy this deficiency of Brown. Barlow is cited as an alleged teaching of "rendering the data input screen inaccessible to prevent user input (column 1, line 66 - column 2, line 10)." However, the cited portion of Barlow merely refers to the general concept of "locking objects", which phrase refers to mechanisms for preventing programmers from making unauthorized changes to the appearance or behavior of, e.g., an icon associated with a spreadsheet. See Barlow, column 1, lines 20-60. Thus, Barlow does not teach or suggest "rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number" nor would any combination of Brown and Barlow have motivated one of ordinary skill in the art to have reached these particular claimed combinations.

Similar comments apply to independent claims 5, 10 and 15. Accordingly, reconsideration and allowance of claims 1-17 are respectfully requested.

Claim 18 stands rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Moneymaker et al. (U.S. Patent Application Number 2002/0049708, hereafter Moneymaker). Claim 18 has been amended to include the subject matter of claim 19, thus rendering this ground of rejection moot.


Claim 19 stands rejected under 35 U.S.C. § 103 as being allegedly unpatentable over Moneymaker et al. in view of Brown. However, it is respectfully submitted that no combination of Moneymaker and Brown would have motivated one of ordinary skill in the art to have arrived at Applicant's amended claim 18 combination for the reasons set forth above with respect to the rejection of claims 1-

17. More specifically, as described above, the *per se* usage of Z-indices to underlay a static desktop object relative to an active desktop object in Brown would not have motivated one of ordinary skill in the art to have modified Moneymaker et al. to have included the claimed steps of: "associating said executable script with a predetermined z-index number for said web page; and rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number." Only Applicant's specification teaches or suggests this combination of elements.

All of the objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that this application is in condition for allowance and a notice to that effect is earnestly solicited. Should the Examiner have any questions regarding this response or the application in general, he is invited to contact the undersigned at (540) 361-1863.

Respectfully submitted,

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